

550  
New

## COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C §§ 1983

Name Price Jackie  
 (Last) (First) (Initial)

Prisoner Number DQE223

Institutional Address 701 South ABEI Street  
Milpitas, CA 95035

FILED

FEB 25 2008

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

Jackie Price  
 (Enter the full name of plaintiff in this action.)

vs.

San Jose Police  
Department and  
Officers

(Enter the full name of the defendant(s) in this action))

CV 08

1118

Case No. \_\_\_\_\_  
 (To be provided by the clerk of court)

COMPLAINT UNDER THE  
 CIVIL RIGHTS ACT,  
 42 U.S.C §§ 1983

E-filing

PJH  
(PR)

[All questions on this complaint form must be answered in order for your action to proceed..]

I. Exhaustion of Administrative Remedies

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement EIMWOOD JAIL Milpitas

B. Is there a grievance procedure in this institution?

YES ☒ NO ( )

C. Did you present the facts in your complaint for review through the grievance procedure?

YES ( ) NO ☒

D. If your answer is YES, list the appeal number and the date and result of the

COMPLAINT

- 1 -

008-1118 PJH

appeal at each level of review. If you did not pursue a certain level of appeal, explain why.

1. Informal appeal - NA -

2. First formal level - NA -

3. Second formal level - NA -

4. Third formal level - NA -

E. Is the last level to which you appealed the highest level of appeal available to you?

YES ( ) NO ☒

F. If you did not present your claim for review through the grievance procedure, explain why. MY issues has nothing to do with the grievance procedure here in EIMWOOD Jail.

## II. Parties

A. Write your name and your present address. Do the same for additional plaintiffs, if any.

JACKIE Price

701 South ABEI Street

MILPITAS, CA 95035

B. Write the full name of each defendant, his or her official position, and his or her

place of employment.

San Jose police Department

III.

### Statement of Claim

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

on the DATE of Sept 26 2007 I was illegally stopped and searched by a SJPD officer. He approached my car with his gun pointing at me saying "if I run He'll shoot me" I stated to him I WASN'T on probation or parole but the officer still proceeded to illegally search me. He heard a person was selling drugs in a BLUE car. The officer continued for two and a half hours finding no drugs etc. During the search the officer went inside of my underwear rubbing his fingers along my buttox. NEXT I was put in the back of the patrol car. A Gold Sergeant pulled up. The sergeant instructed the officer to let me go. When the sergeant left, the officer let me out the car and quoted "I'm gonna do this my way" and began to search my buttox. I broke away and RAN but stopped a few feet ahead. the cop Tazerd me and then beat me up. I was taken to the hospital and jail charge with possession and transportation of 1/2 ounce of crack. I was released the next day. charges dropped. there was no drugs found. later I found out the officer wrote a false report. There was never a Half ounce found.

### IV. Relief

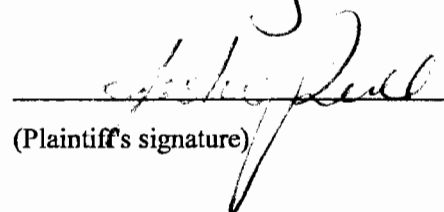
Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

COMPLAINT

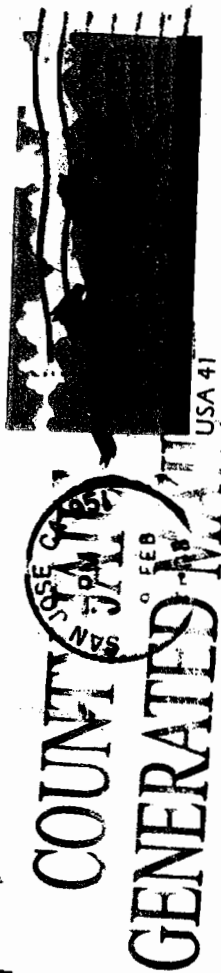
1 I would like the sum of two million  
2 dollar's for my pain and suffering. I  
3 was tazed, sodomized, & for them  
4 writing a false report.  
5

6  
7 I declare under penalty of perjury that the foregoing is true and correct.  
8

9 Signed this 6th day of February, 20 08

10  
11   
12 (Plaintiff's signature)  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

State Prison  
P.O. Box 932  
San Francisco, CA 94102



RECEIVED

FFB 11 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Clerk of the United States District Court  
The Northern District of California  
250 Golden Gate Avenue Box 36000  
San Francisco, CA 94102

COUNTY JAIL  
GENERAL MAIL

94102+3661 0004

